

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FULCRUM BIOENERGY, INC., *et al.*

Debtors¹

Chapter 11

Case No. 24-12008 (TMH)

(Jointly Administered)

Re: D.I. 177 & __

**ORDER APPROVING STIPULATION
MODIFYING RIGHTS OF PREPETITON BONDS SECURED
PARTIES IN CONNECTION WITH CHALLENGE PERIOD PROVIDED
BY FINAL ORDER APPROVING DEBTOR-IN-POSSESSION FINANCING**

Upon the certification of counsel (the “Certification of Counsel”)² of Abeinsa Abener Teyma General Partnership (“AATGP”) and its parent Abengoa, S.A. (“Parent” and collectively with AATGP, the “Abengoa Entities”) regarding approval of the Stipulation; and this Court having jurisdiction to consider the Certification of Counsel and the relief requested therein pursuant to 28 U.S.C. §§ 1334 and 157, and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware dated February 29, 2012; and it appearing that this is a core matter pursuant to 28 U.S.C. § 157(b)(2) and that this Court may enter a final order consistent with Article III of the United States Constitution; and it appearing that venue of these Chapter 11 Cases is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and it appearing that due and adequate notice of the Stipulation has been given under the circumstances, and that no other or further notice

¹ The Debtors and Debtors in possession in these chapter 11 cases, along with each debtor’s federal tax identification numbers are: Fulcrum BioEnergy, Inc. (3733); Fulcrum Sierra BioFuels, LLC (1833); Fulcrum Sierra Finance Company, LLC (4287); and Fulcrum Sierra Holdings, LLC (8498). The location of the Debtors’ service address is: Fulcrum BioEnergy Inc., P.O. Box 220 Pleasanton, CA 94566. All Court filings can be accessed at: <https://www.veritaglobal.net/Fulcrum>.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Certification of Counsel.

of the Stipulation has been given under the circumstances, and that no other or further notice need be given; and based on the representations in the Certification of Counsel, and after due deliberation and sufficient cause appearing therefor; it is hereby

IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The Stipulation is hereby **APPROVED**.
2. Immediately upon the entry of this Order, the Stipulation shall become effective.
3. The Parties are authorized to take any and all actions reasonably necessary to implement and effectuate the terms of the Stipulation.
4. This Court retains jurisdiction over all matters arising from or related to the implementation or interpretation of this Order and the Stipulation.

Dated: December 2nd, 2024
Wilmington, Delaware

Thomas M. Horan
THOMAS M. HORAN
UNITED STATES BANKRUPTCY JUDGE